REMARKS

I.   Introduction

Claims 11, 13-21 and 23-37 are pending in the present application. Reconsideration of the present application is respectfully requested.

II.   Rejection Of Claims 11, 13-19, 21 and 23-37 Under 35 U.S.C. § 102

Claims 11, 13-19, 21 and 23-37 were rejected under 35 U.S.C. § 102(e) as anticipated by U. S. Patent No. 6,301,513 to Divon et al. ("Divon et al."). Applicants respectfully submit that Divon et al. does not anticipate claims 11, 13-19, 21 and 23-37 for at least the following reasons.

Claims 21 and 28 recite a record/read unit and a voice digitization module as part of an automobile radio device, a chip card removably received by the record/read unit, and an arrangement to buffer the digitized message until the chip card is received by the record/read unit if the chip card is not concurrently received in the record/read unit. Similarly, claims 11 and 31 recite digitizing a message via a voice digitization module of an automobile radio device, buffering the digitized message until the chip card is received by the record/read unit if the chip card is not concurrently received by the record/read unit, and storing the digitized message in the memory module of the chip card removably received by the record/read unit.

Divon et al. refer to a device for storing audio signals. The memory utilized for the this purpose takes the form of a PCMCIA card, which apart from its storage capability, also implements a digitizing module to convert audio signals into digital signals for the purpose of storing them.

In this regard, it naturally follows that the PCMCIA card referred to by Divon at al. must be inserted in the device in order to be able to store the audio signals. For, if the card is not inserted, the digitizing module is missing as well. That is, without the PCMCIA card inserted into the device, the device cannot convert the audio signal into a storable format because the required equipment (i.e., the digitizing module) is missing.

Furthermore, none of the passages of the Divon et al. reference cited by the Office Action refer to audio signals being buffer-stored until the memory card is inserted, as required by the claims of the present application. Instead, in column 6, lines 20 to 32, Divon et al. state that it is possible to tag a piece of music in the memory, so that the tagged piece of music can be subsequently recognized by a computing device connected to the memory and

read out thereby. Here, however, the tagged piece of music is no doubt inside the PCMCIA card. Likewise, in column 7, line 65, to column 8, line 13, Divon et al. state that a spoken signal can be recorded by a microphone and stored in the memory of the PCMCIA card after conversion with the aid of the digitizing module. Here, again, the PCMCIA card must be inserted in order for the audio signal to be digitized and recorded, and the card must also be inserted for the digitized recording to be reconverted into an audio signal and reproduced via a loudspeaker. Similarly, in column 12, lines 6 to 10 and 21 to 40, Divon et al. refer to a portable handheld device that stores audio data within the internal memory of the handheld device but does not provide that an additional chip card be inserted into the handheld device so that the audio data stored in the memory of the device can be written to the chip card.

Thus, none of the cited text passages disclose or even suggest buffering a digitized message until a chip card is received, as provided for in the context of claims 11, 21 and 28. In this regard, the buffering is important so that the digitized audio signals can be stored even if there is no chip card inserted in the device. In this instance, according to the the presently recited subject matter, the digitized audio signals are buffered until a chip card is inserted into the device, at which time the buffered-stored audio data file is then written to the chip card. In Divon et al. by contrast, each storage cassette is arranged with an individualized digital vocalizer so that digitization of the information recorded by the audio system can only occur if the storage cassette is inserted, and, as a consequence, no buffering of digitized information can occur if the storage cassette is not inserted. Accordingly, the audio system of Divon et al. does not disclose, or even suggest, buffering the digitized message until the chip card is received by the record/read unit if the chip card is not concurrently received by the record/read unit, as recited in claims 11, 21, 28 and 31.

For at least the above-mentioned reasons, Divon et al. do not anticipate or render obvious claims 11, 21, 28, or 31. As for claims 13-19 and 35, which depend from claim 11 and therefore include all of the features of claim 11, claims 23-27, 34 and 36, which depend from claim 21 and therefore include all of the features of claim 21, claims 29-30, which depend from claim 30 and therefore include all of the features of claim 30, and claims 32-33 and 37, which depend from claim 31 and therefore include all of the features of claim 31, it is respectfully submitted that these claims are not anticipated or rendered obvious by Divon et al. for at least the reasons given above in support of the patentability of claims 11, 21, 28, and 31.

In view of at least the foregoing, it is respectfully requested that the rejection of claims 11, 13-19, 21 and 23-37 under 35 U.S.C. § 102(b) over Divon et al. be withdrawn.

III.   Rejection Of Claim 20 Under 35 U.S.C. § 103

Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Divon et al. Applicants respectfully submit that claim 20 is patentable over Divon et al. for at least the following reasons.

Claim 20 depends from claim 11, which as explained above includes features not disclosed, or even suggested, by Divon et al. Therefore, Divon et al. does not render obvious claim 20 for at least the same reasons as claim 11. Accordingly, it is respectfully requested that this rejection of claim 20 under 35 U.S.C. § 103(a) be withdrawn.**IV.**

Conclusion

In light of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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